IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3927 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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JITENDRAKUMAR NATVARLAL DAVE

Versus

REGIONAL PASSPORT OFFICE

Appearance:

1. Special Civil Application No. 3927 of 2002

MR DAXESH T DAVE for Petitioner No. 1

MR UI VYAS for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 16/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Vyas waives service of rule for the respondents. With the consent of the parties, the matter is taken up for final hearing today.

#. The petitioner is a passport holder and in his

original passport, birth date is mentioned as 26.8.1953. However, subsequently, the petitioner realised that, his correct birth date is 23.8.1953 which is based on birth and death register. The petitioner accordingly gave the application to the passport authority, however, the same is not annexed with this petition. Under these circumstances, the petitioner is directed to make an application to the passport authority and may produce necessary evidence along with the said application. If, such application is preferred, the authority may consider the same in accordance with law and may pass appropriate order after considering the evidence on record. If the authority is satisfied that the birth date is required to be corrected, may pass appropriate order accordingly. The petitioner further submitted that there is a discrepancy in the name as according to the petitioner, in the passport, the name is mentioned as Jitendraprasad. As against that, his correct name is Jitendrakumar. The petitioner may highlight this aspect also in his application and the authority may consider the same without undue delay. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority within a period of two weeks from today.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)